

Message Text

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ACTION SCS-06

INFO OCT-01 EA-10 ISO-00 SSO-00 CA-01 EB-08 COME-00
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FM AMEMBASSY SEOUL
TO SECSTATE WASHDC IMMEDIATE 3104

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E.O. 11652: N/A
TAGS: CASC, BDIS, (SAHEKI, AKIRA)
SUBJ: ASSISTANCE TO US CITIZEN (FOLLOW UP ON SAHEKI, AKIRA)

REF: SEOUL 6988

1. PER REFTTEL, WE PROPOSE FOLLOWING TEXT AS NOTE TO ROKG.
THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS
COMPLIMENTS TO THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND HAS THE HONOR TO REFER TO THE RECENT CASES OF
MR PETER BENEFELD, AND MR AKIRA SAHEKI, AMERICAN
CITIZENS WHO WERE DETAINED IN THE REPUBLIC OF
KOREA PENDING THE COMPLETION OF POLICE INVESTIGATIONS
INTO CERTAIN CHARGES MADE AGAINST THEM BY THE
KOREAN BUSINESS FIRMS SAM YUNG CHEMICAL CO.
AND DONG HWA AND CO. LTD. RESPECTIVELY.

THE EMBASSY DOES NOT WISH TO ADDRESS THE ISSUE OF ALLEGED
INDEBTEDNESS BY ONE PARTY OR ANOTHER IN THE COMMERCIAL
TRANSACTIONS AT ISSUE BUT RATHER TO NOTE THAT WE CONSIDER
IT EXTREMELY UNFORTUNATE THAT MATTERS WHICH APPEAR TO BE
COMMERCIAL TRADE DISPUTES HAVE BEEN HANDLED OUTSIDE THE
USUAL CHANNELS FOR SETTLING TRADE DISPUTES. WE HAVE
NOTED IN THE PAST THAT THE REPUBLIC OF KOREA
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HAS SERVED AS A MODEL IN WORLD TRADING CIRCLES FOR
ITS FAIR, EFFICIENT, AND EXPEDITIOUS HANDLING
OF SUCH DISPUTES. THE EMBASSY IS PARTICULARLY
DISTURBED THAT THERE HAVE BEEN TWO CASES IN RECENT
MONTHS WHERE MATTERS IT BELIEVES ARE PROPERLY
CLASSIFIED AS TRADE DISPUTES HAVE BECOME THE SUBJECT
OF POLICE INVESTIGATIONS, CAUSING CONSIDERABLE

INCONVENIENCE AND EXPENSE TO AMERICAN CITIZENS ENGAGED
IN COMMERCE WITH KOREAN FIRMS. IN EACH CASE,
IT APPEARS THAT EFFORTS TO DISCUSS THE DISPUTE
FIRST HAND WERE UTILIZED BY THE KOREAN FIRM TO FORCE
AN UNFAVORABLE SETTLEMENT UPON THE AMERICAN COMPANY.
THESE TWO CASES HAVE RECEIVED WIDESPREAD ATTENTION IN
THE UNITED STATES, WITH EXPRESSIONS OF CONCERN COMING
FROM GOVERNMENT, BUSINESS, LABOR, AND CONGRESSIONAL
CIRCLES. THE DEPARTMENT OF STATE HAS EXPRESSED THE
CONCERN OF THE GOVERNMENT OF THE UNITED STATES TO THE
KOREAN EMBASSY IN WASHINGTON AND THIS EMBASSY HAS
REPEATEDLY DISCUSSED THE MATTER WITH OFFICIALS OF THE
GOVERNMENT OF THE REPUBLIC OF KOREA. WE BELIEVE THAT
SUCH HANDLING OF SIMILAR CASES IN THE FUTURE WOULD
HAVE A HIGHLY DETRIMENTAL EFFECT ON THE CONTINUED
GROWTH OF TRADE BETWEEN THE UNITED STATES AND THE
REPUBLIC OF KOREA, TO THE COST OF BOTH PEOPLES.
THE EMBASSY URGES THE GOVERNMENT OF THE REPUBLIC
OF KOREA TO TAKE WHATEVER MEASURES ARE NECESSARY TO
ENSURE THAT MORE APPROPRIATE HANDLING WILL BE GIVEN
SUCH PROBLEMS WHEN THEY ARISE IN THE FUTURE.
THE EMBASSY OF THE UNITED STATES OF AMERICAN AVIALS
ITSELF OF THIS OPPORTUNITY TO RENEW TO THE MINISTRY
OF FOREIGN AFFAIRS OF THE REPUBLIC OF KOREA THE
ASSURANCES OF ITS HIGHEST CONSIDERATION.

GLEYSTEN

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